

REMARKS/ARGUMENTS:

Claims 1 – 28 are currently pending in the application, with claims 1, 7, 15 and 21 being independent. Claims 1 – 6 have been rejected. Claims 1 – 6 are amended, claims 7 – 28 are newly added, and no new matter has been added to the claims.

Applicant has carefully considered the contents of the Office Action and respectfully requests reconsideration and reexamination of the subject application in view of the explanations noted below.

Claim Rejection under 35 U.S.C. § 112

Claims 1 – 6 are rejected under 35 U.S.C. § 112 (second paragraph) as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The term “degrees” in claim 1 is allegedly unclear.

Claim 1 has been amended to remove the term “degrees”. Instead, claim 1 now recites that the shielding plate covers and uncovers varying amounts of the magnets. Support for this recitation is found in paragraph 27 of the application. The shielding plate is movable between a first position that completely covers the magnets to a second position that completely uncovers the magnets, and to various positions therebetween. In view of the amendment to claim 1, Applicant respectfully requests reconsideration and withdrawal of this rejection of claims 1 - 6.

Rejections under 35 U.S.C. § 102(b)

Claims 1 - 6 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,273,235 to Sato (the Sato ‘235 patent) connector. Applicant respectfully traverses this rejection, since the Sato ‘235 patent clearly does not disclose, teach or render obvious the subject matter of rejected claims 1 - 6.

The Sato ‘235 patent discloses a brake mechanism B for a spool 6 of a fishing reel, as shown in FIGS. 1 and 7. Permanent magnets 28 are mounted on an axially movable member 31 disposed adjacent a side face of the spool 6, which is formed of a metal to act as an electric conductor. The distance between the magnets 28 and the side face of the spool 6 is adjustable by turning brake controller 29, as shown in FIGS. 1 and 4. When the controller 29 is turned in a direction to move the magnets 28 away from the spool 6, a shield plate 30,

formed of a magnetic substance, is inserted between the magnets 28 and spool 6. Col. 3, lines 45 – 55. The shield plate 30 is a disk having an arcuate opening 30A, as shown in FIG. 4. To increase braking force, the axially movable member 31 is pushed toward the spool and the magnets act through the arcuate opening of the shield plate. To decrease the braking force, the axially movable member 31 is moved away from the spool 6, and the shield plate is moved to cover the magnets 28. Col. 4, lines 4 – 19.

The Sato '235 patent does not disclose an axially fixed magnet support. The Sato '235 relies upon adjusting the *axial distance* between the magnets 28 and the spool 6 to control the braking force. Rotation of the controller 29 results in a corresponding axial displacement of the magnets and the need for a wider reel frame.

Amended independent claim 1 of the present application recites an axially fixed magnet support, i.e., a magnet support that is not axially movable. The claimed reel does not rely on adjusting the axial distance between the magnet and the end wall of the line spool to adjust the magnetic braking force. As cited in MPEP § 2131, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single, prior art reference”. Verdegaal Bros. V. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because there is no disclosure or suggestion of a fixed magnet support in the Sato '235 patent, independent claim 1 is not anticipated thereby.

Moreover, the brake mechanism of the Sato '235 patent would not have rendered obvious the claimed invention. The Sato '235 patent relies on axially displacing the magnets in combination with rotational displacement of the shield plate. Therefore, the magnetic force exerted on the spool is determined by the axial distance between the magnets and end wall. Independent claim 1 of the present application uses an axially fixed magnet bank and shield plate that relies on the amount of exposed magnet surface area for the braking effect.

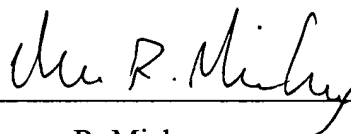
Moreover, axially fixing the magnets in the Sato '235 patent would destroy the principle on which the invention of Sato is based. Sato's braking force is controlled by adjusting the axial distance between the magnets and the spool end wall. Col. 2, lines 13 – 26.

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In view of the foregoing explanations and comments, Applicants respectfully submit that claims 1 – 28 are allowable over the cited patents. Prompt and favorable action is solicited.

Respectfully Submitted,



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